



NEWS RELEASE

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SUBJECT: Listening sessions set on shoreland protection rule proposals
Feedback sought on advisory group's preferences

MADISON, Wis. – An advisory committee has finished developing its preferred options for how the state should revise its 36-year-old rules to better protect Wisconsin lakes and rivers while allowing waterfront property owners more flexibility to develop their land.

Now, at public listening sessions scheduled statewide in November and December, the general public can share their opinions of those preliminary proposals and suggest other ideas before state shoreland protection staff use both in drafting final rule proposals. The final rule proposals are expected to be ready for public hearing in summer 2004.

“We want people to tell us what they think of the committee’s preferred options, weigh in on areas where the committee couldn’t reach agreement, and tell us whether something’s missing that they want to see included in the final rule package,” says Toni Herkert, the DNR shoreland staff member leading the revision effort. “We’ll use that feedback and the committee’s preferences to develop the final rule proposals.”

Last fall, DNR launched the broad-based initiative to update the rules governing waterfront development over concerns that the statewide minimum standards were not adequate to protect Wisconsin waters, that the rules were confusing to property owners and the local governments that enforced the standards, and that the rules were too limiting to property owners.

A 28-member advisory committee of waterfront property owners, developers, environmentalists, university experts, county zoning officials and others has been helping DNR revise the rules. The rules, which apply to unincorporated areas -- and areas incorporated since 1994 or annexed since 1982 -- were mandated by Wisconsin lawmakers in 1966 to protect water quality, fish and wildlife habitat and scenic beauty along lakes and rivers. The rules seek to control the intensity of development and create buffers around the waters; counties are required to adopt the statewide minimum standards for lot sizes, how far

buildings must be set back from the water, and other standards, or can choose to administer and enforce more protective ones. .

Todd Ambs, administrator of DNR's water division, says the revision effort reflects DNR's commitment to making sure that environmental regulations are administered as efficiently and effectively as possible.

"These proposals provide greater flexibility for property owners while still maintaining critical environmental protections for the shorelines of our waterways," Ambs says.

The advisory committee, working with DNR shoreland protection staff, developed their preferred options in four main areas: shoreland buffers and setbacks; development density; nonconforming structures, and flexibility in development options for specific circumstances, such as the development of sub-standard lots. They also clearly defined terms and removed barriers in the existing rule that now prohibit counties from allowing property owners more flexibility in developing their land.

The preliminary proposals focus on better protecting the primary buffer, the area immediately next to the water's edge that is most critical in protecting clean water and natural scenic beauty and in providing habitat. At the same time, the options would make it easier for people who own homes built before the state standards to maintain, repair, and spruce up their homes, Herkert says.

The proposals remove cost limitations on repairing or maintaining nonconforming structures that do not meet current standards. Current state standards and most Wisconsin counties limit the amount of structural repairs, expansions and improvements on nonconforming structures to 50 percent of the structure's current equalized assessed value, she says.

The advisory committee has proposed getting rid of the 50 percent rule and allowing unlimited ordinary maintenance and repairs to nonconforming structures. The goal is to make it easier for homeowners to do basic, common sense remodeling projects, such as updating kitchens and bathrooms, Herkert says.

Expansions also would be allowed for structures in the secondary buffer; however, the committee proposes that in exchange for this gain, people pursuing a project requiring a permit would be required to preserve or restore native vegetation in the primary buffer to offset both past and potential future environmental impacts to the shoreland area.

"These proposals really get back to the basics of focusing on what is needed to manage natural resources and moving away from the Department intervening on private property," Herkert says.

A full listing of the committee's preferred options -- as well as all of the research, proposals, and other materials the committee reviewed -- can be found on DNR's Web site at www.dnr.state.wi.us, then use the drop down topic menu and select "shoreland management."

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Each public listening session will be conducted in the afternoon and the evening on the same day at the same location with the same schedule. From 2 to 3 p.m. and from 5:30 to 6:30 p.m., people can view displays on the proposals, ask questions of DNR staff and advisory committee members, and offer their feedback there as well as in writing.

From 3 to 4:30 p.m. and from 6:30 to 8 p.m., the public can listen and ask questions following presentations by DNR staff, university experts or advisory committee members on shoreland issues and the preliminary proposals.

From 4:30 to 5:30 p.m. and from 8 to 9 p.m., people can step up to the microphone and provide feedback on the preliminary proposals. Audience members will fill out slips to speak, and time will be allotted according to the number of speakers.

The listening sessions are set for the following dates at these locations:

- November 11 – Spooner Agricultural Research Station, W6646 Hwy 70.
- November 12 – Lake Tomahawk, Sloan Community Center, Rainbow Road.
- November 13 – Eau Claire, DNR Regional Headquarters, 1300 West Clairemont Ave.
- December 1 – Onalaska City Hall, 415 Main St.
- December 4 – Grand Chute Town Hall, 1900 Grand Chute Blvd.
- December 5 – Crivitz Village Hall, 800 Henriette Ave.
- December 9 – Madison, Department of Agriculture, Trade, and Consumer Protection Central Office, the Board Room, 2811 Agriculture Dr.
- December 11 – Waukesha County Courthouse, Room 350, the County Board Room, 515 West Moreland Blvd.